

MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting, Monday, July 16, 2007

Council Chambers, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), B. Gardner, J. Goodwin, R. Hall (7:06), P. Kochenburger,
P. Plante, B. Ryan, G. Zimmer

Members absent: K. Holt

Alternates present: M. Beal, L. Lombard, B. Pociask

Staff present: G. Padick (Director of Planning)

Chairman Favretti called the meeting to order at 7:02 p.m. and appointed Alternate Pociask to act in Holt's absence. In Holt's absence he appointed Pociask to act and Ryan Secretary pro tem.

Minutes:

7/2/07- Gardner MOVED, Plante seconded, to approve the minutes as written. Kochenburger and Pociask both noted that they had reviewed the tapes of the meeting. MOTION PASSED with all in favor except Goodwin who disqualified herself.

Scheduled Business:

Zoning Agent's Report

A. and B. were noted. Hirsch updated the Commission that no new activity has occurred at the Ed Hall gravel site. At the Eric Hall site, work continues to progress. Padick updated the Commission on the Paideia site and summarized the meetings held by staff and the owner.

Old Business

1. Request to reduce escrow fund for Phase IVB. Freedom Green File 636-4

Padick summarized his 7/11/07 memo. Gardner MOVED, Pociask seconded, that the Planning and Zoning Commission authorize a reduction of the escrow funds held to

ensure completion of infrastructure and site work in Phase IVB of the Freedom Green Development to a new capped level of \$25,000. MOTION PASSED UNANIMOUSLY.

2. Subdivision/Bonding Issues

Wild Rose Estates-2, File #1113-3

Padick summarized his memo and updated the PZC regarding: 1) bonding; 2) revision of the BAE on the original owner's site related to the retention of an existing barn; 3) the continuation of the trail between White Oak Rd and Jonathan Lane.

3. Request for increase in occupancy at Thirsty Dog Pub and Grill, 134 N. Eagleville Rd, File # 930-2

Tabled-awaiting information from the applicant.

4. Discussion-Zoning Classification of Pleasant Valley Road area.

Favretti polled the Commission members on their opinion of the 7-2-07 draft proposal submitted to members from Favretti and Padick. The consensus after review by members was to refer the draft proposal to the Regulatory Review Committee for their next meeting.

5. Potential Revisions to PZC/IWA Fee schedule.

Tabled pending more staff input.

New Business

1. Request for Building Area Envelope revision and retention of existing barn, Lot 10 Wild Rose Estates, File#1113-3.

As previously noted in Padick's summarization, this item is to be tabled pending staff review.

2. Planned Trail Improvements for Wild Rose Estates-2, File #1113-3

As previously noted, staff has determined upon further study that the planned trail connection between White Oak Road and Jonathan Lane is not necessary because of complicated site conditions in the adjoining open space. Gardner MOVED, Plante seconded, that the Planning and Zoning Commission modify its 10/4/05 approval of the Wild Rose Estates Section 2 subdivision to eliminate a requirement that a trail be constructed between Jonathan Lane and White Oak Road. The presence of wetlands makes such a trail connection inappropriate. MOTION PASSED UNANIMOUSLY.

Reports of Officers and Committees:

Chairman Favretti noted the 7-12-07 Field Trip at 1:00 p.m.

Communications and Bills:
The agenda items were noted.

At 7:25 Chairman Favretti declared a 5 minute break before opening the Public Hearing.

Public Hearing

New Application to amend the Zoning Map by rezoning land on Storrs Rd and Middle Turnpike from PO-1 and RAR-90 to PB3. M. Carlson, Realm Realty applicant; F and O Sanderson, S. Rogers, D. Donaldson, B. Depray, and M. Krivanec, owners. File #1259

Chairman Favretti opened the Public Hearing at 7:32 p.m. and noted that Plante disqualified himself. Alternate Beal was appointed to act. Present were Commission members R. Favretti, B. Gardner, J. Goodwin, R. Hall, P. Kochenburger, B. Ryan, G. Zimmer, and Alternates Beal and Pociask. Padick read the Legal Notice as it was printed in the Chronicle on 7/3/07 and 7/11/07, and noted that the following communications had been received and distributed to Commission members: a 7/10/07 memo from the Director of Planning, a 7-14-07 letter from Dianne Haidous Hartley, a 7-11-07 letter from Xenophon Zorba of Zenny's, and an undated neighborhood petition sent by Mr. and Mrs. Passmore.

Attorney Daniel Kleinman, of Levy & Droney, representing the applicant, introduced the team working on the rezoning project and submitted 23 of 27 certified return receipts. Kleinman stated that the proposed zone change is consistent with Mansfield's Plan of Conservation and Development, Health and Safety Standards, and would also improve property values.

Dan Kirtland, Vice President of Realm Realty, introduced himself and updated the Commission on other projects his company has done for Walgreen's and their willingness to accommodate any reasonable requests that are made. He expressed Realm Realty's eagerness to work with the Commission to help create a visually pleasing entrance to the Storrs/Mansfield four corners.

Andrew Carrier, of Fuss and O'Neill, showed a map depicting the proposed zone change, which would incorporate approximately 2.33 acres, and he specified which parcels would be involved. Carrier reviewed key points of the applicant submittals including the reduction of curb cuts at the site and the location of wells and septic systems. He noted that the soils have been determined suitable. He introduced a conceptual design showing a Walgreen's store and a bank building, setbacks from residential areas, parking areas, and landscaping buffers. He noted that the developer and potential owner are open to conservation easements associated with this site. He also noted that currently there are no catch basins at these sites, and that the proposal includes storm water improvements which would benefit the site and nearby wetlands.

Patrick Baxter, Traffic Engineer for Fuss and O'Neill, summarized his traffic impact statement and reviewed the counts at peak traffic hours. His professional opinion is that the change in the site and curb cut reductions, along with volume entering and exiting the site, would be acceptable. He also added that the reduction in curb cuts would improve safety because of the increase in distance between driveways.

Jeff Shamos and Daniel Kleinfelder, showing the wetlands on a map, pointed out the areas of wetlands that would be encroached upon by the proposed building area.

Attorney Kleinfelder noted that each of these areas will be addressed in further detail if the zone change is approved, but that the applicant wanted the Commission and public to have an overview of their proposal. He did indicate that, although they have presented this information, much of it is not necessary in the determination of appropriateness for the zone change.

Favretti opened the meeting to questions and comments from Commission members.

In response to a variety of Commission members' questions regarding traffic in the zone change area, the applicant said that the future development and traffic associated with the Storrs Center was not included in the Traffic Study. He also noted that at peak morning time, there would be 37 trips accessing the site, with 114 at peak evening time. The completion of Hillside Drive was not taken into consideration when generating the traffic counts.

Gardner asked the applicant if the installation of septic systems would disturb the wetlands. The applicant responded that the final site layout has not been completed.

Favretti questioned the future of the historic house on the easternmost parcel. The applicant responded that Sanderson intends to relocate the structure.

Favretti opened the meeting to questions from the floor.

Michael Rhee, 674 Middle Turnpike, expressed concern with the commercial zone creeping into the neighborhood.

Joyce Passmore, 668 Middle Turnpike, is concerned about the fate of the Sanderson house, and would like to have that property changed from a PO-1 zone to residential. She also expressed concern about sewer and water issues, lighting, increased traffic, pedestrian and traffic safety, and residential home safety.

Henry Fish, 677 Middle Turnpike, is concerned about the ability of emergency vehicles to pass through the Four Corners with increased traffic.

Jane Moskowitz, Stonemill Road, is concerned with individual parcel development instead of considering the entire Four Corners area as a whole. She feels the "gateway" to

Storrs should be more upscale. She also is concerned about the increase in traffic in and out the site with the proposed new use.

Ed Passmore, 668 Middle Turnpike, stated that the Four Corners is the most dangerous intersection he has encountered, and would like the Commission to consider this issue.

Ayla Kardestuncer, 1641 Storrs Road, is concerned about the effects of lighting, extra traffic, and noise .

Kleinman concluded that if the zone change is approved the applicant will apply for a Special Permit that will include greater details for lighting, landscaping, traffic, and site layout, in addition to other required details.

Favretti noted that there were no further questions or comments from the public, the Commission, or the applicant. Hall MOVED, Gardner seconded, to close the Public Hearing at 8:48 p.m. MOTION PASSED UNANIMOUSLY.

Adjournment:

Favretti declared the meeting adjourned at 8:48 p.m.

Respectfully submitted,

Bonnie Ryan, Secretary pro tem.